

disclose the speech recognition updatable system applied to a vehicle comprising the operation setting and searching sections as required by claim 10. The Examiner asserted that Mikio discloses training a device so that it recognizes new information. The Examiner considered the activity setting described in paragraph [0011] corresponds to the operation setting section of the present claims. As regards the claimed searching section, the Examiner maintained that paragraph [0018] discloses assigning higher priority to certain data and searching for the higher priority data. The Examiner further alleged the setting-out means M9 of paragraphs [0012], [0018], and [0020] corresponds to the claimed searching section.

Claim Rejections Under 35 U.S.C. § 102

Claims 10-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mikio (JP 11-351901). This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested. The following is a comparison between the present invention as claimed and the cited prior art.

An aspect of the present invention, per claim 10, is a speech recognition updatable system applied to a vehicle comprising a speech collecting device collecting a set of words spoken by a driver. A storing section preliminarily stores a set of recognition words used for speech recognition and a set of operation patterns, associated with the recognition words, for an output device. A searching section searches a recognition word, which has the highest matching degree with a spoken word, from the set of recognition words. A mode setting section sets a registration mode for registering a new recognition word used for the speech recognition and an operation pattern associated with the new recognition word in the storing section. A communication unit communicates with a base station having a word database. An input device inputs various information for communicating with the base station via the communication unit. An operation

setting section sets an operation pattern to a new recognition word on the basis of information obtained by the communication with the base station under the registration mode. A registering section registers the new recognition word and the operation pattern associated with the new recognition word set by the operation setting section in the storing section. A control section controls the output device on the basis of an operation pattern associated with a recognition word searched by the searching section. The searching section serves to search for the new recognition word stored in the storing section under the registration mode with higher priority than the set of recognition words stored preliminarily in the storing section.

Another aspect of the invention, per claim 16, is a speech recognition updatable system, comprising means setting an operation pattern to a new recognition word on the basis of information obtained by communication with the base station under the registration mode and a searching means serving to search for the new recognition word stored in the storing means under the registration mode with higher priority than the set of recognition words stored preliminarily in the storing means.

Another aspect of the invention, per claim 17, is a method for operating a speech recognition updatable system applied to a vehicle comprising the steps of setting a registration mode for registering a new recognition word used for the speech recognition and an operation pattern associated with the new recognition word, communicating with a base station having a word database, inputting various information for communicating with the base station, and setting an operation pattern to a new recognition word on the basis of inputted information in the communicating step. The new recognition word is registered and the operation pattern associated with the new recognition word is set in the setting step. The output device is controlled on the basis of the operation pattern associated with a recognition word searched in

the searching step. In the searching step the new recognition word registered in the registering step under the registration mode is searched with higher priority than the set of recognition words stored preliminarily in the storing step.

The Examiner asserted that Mikio discloses a speech collecting device collecting a set of words spoken by a driver comprising an operation setting (activity setting) section setting an operation pattern to a new recognition word on the basis of information obtained by communication with the base station under the registration mode and a searching section that serves to search for new recognition words stored in the storing section under the registration mode with higher priority than the set of recognition words stored preliminarily in the storing section. The Examiner further asserted that Mikio discloses means for setting an operation pattern to a new recognition word on the basis of information obtained by communication with the base station under the registration mode and a searching means that serves to search for the new recognition word stored in the storing means under the registration mode with higher priority than the set of recognition words stored preliminarily in the storing means. Furthermore, the Examiner asserted that Mikio discloses setting an operational pattern to a new registration word on the basis of inputted information in the communication step and searching the new recognition word registered in the registration step under the registration mode searched with higher priority than the set of recognition words stored in the storing step.

Mikio, however, does not disclose the claimed speech recognition updateable system and method for operating a speech recognition updateable system because Mikio does not disclose a speech recognition updateable system applied to a vehicle comprising: 1) an operation setting section setting an operation pattern to a new recognition word on the basis of information obtained by the communication with the base station under the registration mode, and 2) a

searching section serving to search for the new recognition word stored in the storing section under the registration mode with higher priority than the set of recognition words stored preliminarily in the storing section, as required by claim 1. Furthermore, Mikio does not disclose a speech recognition updatable system, comprising means setting an operation pattern to a new recognition word on the basis of information obtained by the communication with the base station under the registration mode and a searching means serving to search for the new recognition word stored in the storing means under the registration mode with higher priority than the set of recognition words stored preliminarily in the storing means, as required by claim 16. In addition, Mikio does not disclose a method for operating a speech recognition updatable system applied to a vehicle comprising the steps of setting an operation pattern to a new recognition word on the basis of inputted information in the communicating step and searching the new recognition word registered in the registering step under registration mode with higher priority than the set of recognition words stored preliminarily in the storing step, as required by claim 17.

The Examiner-cited portions of Mikio (paragraphs 9, 11-12, 15, 20-25, and 29) do not disclose these required features. As regards the operating setting section, Mikio discloses that the operating section M9 sets an operation pattern on the basis of at least information inputted from an input means M1 and situations detected by situation detection means M5. In some cases, this operation setting needs a demand presumed by a demand presumption means M13 and the personal information of the user and others. Mikio does not disclose the method that sets an operation pattern obtained in a communication word with a base station by the use of a new recognition word.

Furthermore, the setting-out means M9 of Mikio sets an operation pattern of a device M3 on the basis of a highest priority data selected from the data D1 and D2 or from among the data D1, D2, and D3. The respective data is defined by paragraphs 11, 15, and 19. Mikio does not disclose any method for setting priority between the data, such as a factor deciding the priority in each data.

The factual determination of lack of novelty under 35 U.S.C. § 102 requires the disclosure in a single reference of each element of a claimed invention. *Helifix Ltd. v. Blok-Lok Ltd.*, 208 F.3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994); *Hoover Group, Inc. v. Custom Metalcraft, Inc.*, 66 F.3d 399, 36 USPQ2d 1101 (Fed. Cir. 1995); *Minnesota Mining & Manufacturing Co. v. Johnson & Johnson Orthopaedics, Inc.*, 976 F.2d 1559, 24 USPQ2d 1321 (Fed. Cir. 1992); *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051 (Fed. Cir. 1987). Because Mikio does not disclose an operation setting section setting an operation pattern to a new recognition word on the basis of information obtained by the communication with the base station under the registration mode, and a searching section serving to search for the new recognition word stored in the storing section under the registration mode with higher priority than the set of recognition words stored preliminarily in the storing section, as required by claim 1; means setting an operation pattern to a new recognition word on the basis of information obtained by the communication with the base station under the registration mode, and a searching means serving to search for the new recognition word stored in the storing means under the registration mode with higher priority than the set of recognition words stored preliminarily in the storing means, as required by claim 16; and the steps of setting an operation pattern to a new recognition word on the basis of inputted information in the communicating step

and searching the new recognition word registered in the registering step under registration mode with higher priority than the set of recognition words stored preliminarily in the storing step, as required by claim 17; Mikio does not anticipate claims 1, 16, and 17.

Applicants further submit that Mikio does not suggest claims 1, 16, and 17.

The dependent claims are allowable for at least the same reasons as independent claim 10 and further distinguish the claimed speech recognition updatable system.

In light of the above Remarks, this application should be allowed and the case passed to issue. If there are any questions regarding these remarks or the application in general, a telephone call to the undersigned would be appreciated to expedite prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Bernard P. Codd

Registration No. 46,429

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 BPC:MWE
Facsimile: 202.756.8087
Date: February 24, 2006

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as our correspondence address.**